

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

RHIANNON JOHNSON,

Plaintiff,

v.

GERRESHEIMER PEACHTREE
CITY (U.S.A.) L.P.,

Defendant.

Civ. Action No.

1:24-cv-02798-AT-CMS

**DEFENDANT’S MOTION TO SET ASIDE ENTRY OF
DEFAULT**

Pursuant to Federal Rule of Civil Procedure 55(c), Gerresheimer Peachtree City (U.S.A.) L.P. (Gerresheimer) asks this Court to set aside the entry of default against it, for good cause shown. In support of this motion, Gerresheimer relies on:

1. Defendant’s Brief in Support of Motion to Set Aside Entry of Default;
2. Defendant’s Verified Answer and Affirmative Defenses to Plaintiff’s Complaint;
3. Affidavit of Fred Howery (Ex. 1);
4. Separation Form (Ex. 2);
5. Supplemental Position Statement (Ex. 3);
6. Responses to Request for Information (Ex. 4); and
7. April 9, 2024 Call Detail Report (Ex. 5).

Respectfully submitted this August 6, 2024.

HALL BOOTH SMITH, P.C.

191 Peachtree Street NE
Suite 2900
Atlanta, Georgia 30303
Phone: (404) 954-5000
Fax: (404) 954-5020
aaverbuch@hallboothsmith.com
dmagruder@hallboothsmith.com

/s/ Allison C. Averbuch
ALLISON C. AVERBUCH
Georgia Bar No. 275988
DYLAN MAGRUDER
Georgia Bar No. 810717
*Counsel for Gerresheimer Peachtree
City (U.S.A.) L.P.*

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **DEFENDANT'S MOTION TO SET ASIDE ENTRY OF DEFAULT** upon all counsel of record by electronically filing same with the CM/ECF filing system, and that service of the following individuals will be accomplished by CM/ECF system:

Dean R. Fuchs
Schulten Ward Turner & Weiss, LLP
260 Peachtree Street NW
Suite 2700
Atlanta, GA 30303
d.fuchs@swtwlaw.com
Attorney for Plaintiff

Dated August 6, 2024.

HALL BOOTH SMITH, P.C.

191 Peachtree Street NE
Suite 2900
Atlanta, Georgia 30303
Phone: (404) 954-5000
Fax: (404) 954-5020
aaverbuch@hallboothsmith.com
dmagruder@hallboothsmith.com

/s/ Allison C. Averbuch
ALLISON C. AVERBUCH
Georgia Bar No. 275988
DYLAN MAGRUDER
Georgia Bar No. 810717
*Counsel for Gerresheimer Peachtree
City (U.S.A.) L.P.*